

Application Serial No.: 10/692,269  
Amendment and Response to June 21, 2007 Non-Final Office Action

## REMARKS

Claims 1 – 18, 20, and 21 are in the application. Claims 1, 3 – 5, 12, 18, 20, and 21 are currently amended; claim 19 has been canceled; and claims 2, 6 – 11, and 13 – 17 remain unchanged from the original versions thereof. Claims 1, 20, and 21 are the independent claims herein.

No new matter has been added to the application as a result of the amendments submitted herewith.

Reconsideration and further examination are respectfully requested.

### Claim Rejections – 35 USC § 103

Claims 1, 10, 12 – 13, 15 – 16, 18, and 20 – 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rudnick et al. U.S. Publication No. 2002/0159418 (hereinafter, Rudnick) in view of Pattara-Atikom et al., Wasan Pattara-Atikom and Prashant Krishnamurthy, "Distributed Mechanisms For Quality Of Service in Wireless LANs", IEEE, June 2003, Pages 26-34, (hereinafter, Atikom). This rejection is traversed.

Applicant notes that claim 1 relates to a method for providing a delay guarantee for each of a plurality of client devices associated with an access point. The method includes classifying each of the plurality of client devices into one of a plurality of potential client device types based on, at least, a measurement of current and previous traffic loads for each of the plurality of client devices; determining a desired traffic load for the plurality of client devices; and allocating shaper intervals to each of the plurality of client devices based on client device type classification and the said desired traffic load. Thus, it is clear the claimed method includes classifying each of the plurality of client devices into one of a plurality of potential client device types based on, at least, a measurement of current and previous traffic loads for each of the plurality of client devices. Claim 20 and 21 are, in relevant part, worded similar to claim 1.

Application Serial No.: 10/692,269  
Amendment and Response to June 21, 2007 Non-Final Office Action

Applicant submits that the cited and relied upon Rudnick fails to disclose or suggest the claimed aspect of classifying each of the plurality of client devices into one of a plurality of potential client device types based on, at least, a measurement of current and previous traffic loads for each of the plurality of client devices. Instead, Rudnick cites and relies on the disclosure of paragraphs 28 – 30. In contrast to the claims, the cited and relied upon Rudnick discloses providing a polling list and polling a subset of the polling list during each CFP (contention free period) in an order based on the ascending AID (association ID) value of the stations (STA) included in the subset. (See Rudnick, paragraph 30) As Rudnick states, the method therein is based on the identity of the sending or receiving STA. (See Rudnick, paragraph 29) Accordingly, the STA AID values are used to identify the STAs, as well as determining the order in which the STAs in a subset are polled.

It is therefore clear that Rudnick does not disclose or even suggest classifying each of a plurality of client devices associated with an access point based on, at least, a measurement of current and previous traffic loads for each of the plurality of client devices. Again, Rudnick explicitly states that the STAs therein are polled based on an identity (i.e., the AID value) of the STA. The identity or AID value of the Rudnick STAs is not the same as or suggestive of the claimed classifying each of a plurality of client devices associated with an access point based on, at least, a measurement of current and previous traffic loads.

Therefore, it is clear that Rudnick fails to disclose or suggest that for which it was specifically cited and relied upon for disclosing in order to properly support the rejection under 35 USC 103(a). Applicant further submits that the cited Aitkom does not correct or overcome the failings of Rudnick. For example, while Aitkom discloses QoS-enabling mechanisms that exploit the assigned waiting time, Aitkom's disclosed mechanisms are based on using existing IFS values for priority or arbitrary IFS (AIFS) values. (See Aitkom, page 29, col. 1, paragraph 2 – col. 2, paragraph 1)

Application Serial No.: 10/692,269  
Amendment and Response to June 21, 2007 Non-Final Office Action

Therefore, the Rudnick-Atikom combination does not render claims 1, 20, and 21 obvious under 35 USC 103(a). Claims 10, 12, 13, 15, 16, and 18 depend from claim 1.

Accordingly, Applicant requests the reconsideration and withdrawal of the rejection to claims 1, 10, 12, 13, 15, 16, 18, 20, and 21 under 35 USC 103(a), as well as the allowance of same.

Claims 2 – 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rudnick in view of Atikom as applied to claim 1 above, and further in view of Gu et al., Daqing Gu and Jinyun Zhang, "QoS Enhancements in IEEE802.11 Wireless Local Area Network", IEEE, June 2003, Pages 120-124, (hereinafter, Gu). This rejection is traversed.

Inasmuch as this rejection relies upon Rudnick-Atikom as applied to claim 1 and Applicant has clearly demonstrated the fatal shortcomings of the Rudnick-Atikom hereinabove, Applicant further submits that Gu does not correct the failings of Rudnick-Atikom. Therefore, Applicant submits that the combination of Rudnick-Aitikom-Gu does not render claims 2 – 5 obvious under 35 USC 103(a).

Claims 6 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rudnick in view of Atikom as applied to claim 1 above, and further in view of Awater et al. U.S. Publication No. 2007/0109980, (hereinafter, Awater). This rejection is traversed.

Applicant submits that Rudnick-Atikom as applied to claim 1 fails to disclose that for which it is cited and relied upon for disclosing. Applicant further submits that Awater does not correct the failings of Rudnick-Atikom. Therefore, Applicant submits that the combination of Rudnick-Aitikom-Awater does not render claims 6 and 17 obvious under 35 USC 103(a).

Claims 7 - 9, 11, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rudnick in view of Atikom as applied to claim 1 above, and further in view of Grilo et al., Antonio Grilo, Mario Macedo, and Mario Nunes, "A Scheduling

Application Serial No.: 10/692,269  
Amendment and Response to June 21, 2007 Non-Final Office Action

Algorithm For QoS Support in IEEE802.1E Networks", IEEE, June 2003, Pages 24-43, (hereinafter, Grilo). This rejection is traversed.

Applicant submits that Rudnick-Atikom as applied to claim 1 fails to disclose that for which it is cited and relied upon for disclosing. Applicant further submits that Grilo does not correct the failings of Rudnick-Atikom. Therefore, Applicant submits that the combination of Rudnick-Aitkom-Grilo does not render claims 7 - 9, 11, and 14 obvious under 35 USC 103(a).

Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ho et al. U.S. Patent No. 7,068,632, (hereinafter, Ho) in view of Grilo et al. This rejection is moot in view of the cancellation of claim 19.

Application Serial No.: 10/692,269  
Amendment and Response to June 21, 2007 Non-Final Office Action

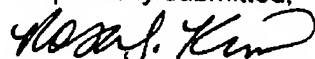
### CONCLUSION

Accordingly, Applicant respectfully requests allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (650) 694-5330.

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Respectfully submitted,



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